

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2013-429700-002 DT

03/03/2014

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT

T. Gatz

Deputy

STATE OF ARIZONA

MARYANN MCKESSY

v.

LANE MEREDITH NICHOLSON (002)

DOB: 02/09/1995

SHERI M LAURITANO

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

**SUSPENSION OF SENTENCE - PROBATION GRANTED**

10:08 a.m.

Courtroom 6B SCT

State's Attorney: John Judge for Maryann McKessy

Defendant's Attorney: Sheri Lauritano

Defendant: Present

Court Reporter, Gail Ferguson, is present.

A record of the proceeding is also made by audio and/or videotape.

**Count(s) 2: WAIVER OF TRIAL:** The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

**IT IS THE JUDGMENT** of the Court Defendant is guilty of the following:

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**OFFENSE: Count 2: POSSESSION OF MARIJUANA FOR SALE**

Class 4 felony

A.R.S. § 13-3401, 13-3405, 13-3418, 13-701, 13-702 and 13-801

Date of Offense: 10/23/2012

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

**Upon release from prison pursuant to A.R.S. §13-603(K). Count 2: For a period of 3 years.**

**Condition 5** - If deported or processed through voluntary departure, will not return to the United States without legal authorization during the term of probation, and all conditions remain in effect except for

**Condition 6:** Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

**Condition 8** - Request and obtain written permission of the APD prior to leaving the State.

**Condition 15:** Restitution, Fines and Fees:

**PROBATION SERVICE FEE:** Count 2 - \$25.00 per month, beginning on the first day of the second month upon release from DOC.

**FINE:** Count 2 - Total amount of \$1372.50, which includes surcharges of 83%, payable \$50.00 per month beginning on the first day of the second month upon release from DOC.

**PROBATION SURCHARGE:** Count 2 - \$20.00 payable on the first day of the second month upon release from DOC.

**WARRANT CHARGE:** Count 2 - \$45.00, payable on the first day of the second month upon release from DOC.

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**PENALTY ASSESSMENT - A.R.S. §12-116.04:** Count 2 - \$13.00 payable on the first day of the second month upon release from DOC.

Investigative Agency:

Phoenix Police Department

**Count 2: \$15.00 to the Technical Registration Fund** payable on the first day of the second month upon release from DOC.

**Count 2: Time payment fee pursuant to A.R.S. § 12-116** in the amount of \$20.00 payable on the first day of the second month upon release from DOC.

All amounts payable through the Clerk of the Superior Court.

**Condition 16** - Not consume or possess any substances containing alcohol.

**Condition 17** - Count 2: Complete a total of 240 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

**Condition 22:** Other - Defendant shall participate in drug treatment or counseling as recommended by APD.

**IT IS FURTHER ORDERED** that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

**IT IS ORDERED** granting the Motion to Dismiss the following: Counts 3 and 4.

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**IT IS FURTHER ORDERED** Defendant be released from custody for this case only.

**IT IS FURTHER ORDERED** that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

The presentence investigation report is filed under CR 2013-003456-002.

10:37 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE BRUCE R. COHEN  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)